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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,205	09/17/2003	Russell W. Seiffert	SEIF-26,393	3886

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EXAMINER

STOCK JR, GORDON J

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,205

Applicant(s)

SEIFFERT, RUSSELL W.

Examiner

Gordon J Stock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 7-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20040217</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of **claims 1-6 and 14** in the reply filed on June 1, 2004 is acknowledged.

2. **Claims 7-13** are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on June 1, 2004.

Drawings and Specification

3. The drawings and specification are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: **110** of Fig. 11; **1435, 1535** of Figs. 14 and 15. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "**50**" of Fig. 1 has been used to designate both first cylinder roller and second cylinder roller. Corrected drawing sheets are required in reply to the Office action to avoid

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abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: **56** on line 4 page 10; **1110** of Fig. 11 on line 21 of page 14; **1400** and **1500** of Figs. 14 and 15 on line 19 of page 17. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Belfiore (4,249,294)** in view of **Belfiore (6,098,297)**.

As for **claims 1 and 14**, Belfiore '294 discloses in an optical pulley alignment tool the following: a light emitter, a projector (Fig. 4: 86); a reflector unit (Fig. 4: 80 and 58 for the target 58 will reflect the light that is projected upon it to the mirror of 80 and to the eye of the observer); a horizontal lineal indicator and vertical lineal indicator are both on the target and in the emitter unit (Fig. 4: 58 and 88); wherein the targets are aligned by viewing reflected signals by the observer to align the separate rollers of the pulley system and adjusting the rollers (Figs. 2a; col. 2, lines 45-60). As for horizontal and vertical planar light, Belfiore '294 is silent for the system projects light through a crosshair (Fig. 4: 88). However, Belfiore '297 teaches in a system for aligning pulleys a functional equivalence of crosshair targets (Figs. 7 and 8). Therefore, it would be obvious to one skilled in the art that the projector may provide sources of vertical and horizontal planar light for a transparent crosshair target may replace an opaque one for both are used in optically aligning pulleys thereby providing horizontal and vertical planar light as the light passes through the transparent crosshair target to the secondary alignment target.

8. **Claims 2-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Belfiore (4,249,294)** in view of **Belfiore (6,098,297)** in view of **Seiffert (6,031,616)**—cited by applicant.

As for **claim 2**, Belfiore in view of Belfiore discloses everything as above (see **claim 1**). Belfiore '294 has the emitter and reflection units in substantially rectangular housings (Fig. 4) not cylindrical. Belfiore '297 demonstrates that the light emitting system may be in a tubular housing that would be cylindrical (Fig. 1: 22, 72). And Seiffert in a pulley alignment system

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teaches that the reflection and emission units may be in tubular constructs (Fig. 7). Therefore, it would be obvious to one skilled in the art at the time the invention was made to have the emitter and reflector units in tubular housings, for pulley alignment systems comprise tubular housing for emitters and reflector units.

With **claim 3**, Belfiore '294 discloses the reflector and projector unit are laterally disposed in a mounting bracket (Figs. 1, 2, and 4).

With **claims 4-5**, Belfiore '294 has a lower portion for contacting the pulley roll (Fig. 1 and Fig. 4). And Fig. 4 shows that an oblique angle that appears about 125 degrees is made with the roller (see end contacts of 18 and 20 with roller).

With **claim 6**, Belfiore discloses means for securing bracket to rollers (Fig. 1: 26, 30, 32, 28).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent Application Publication US 2003/0051354 to Segerstrom et al. (specifically, Figs. 1-2 and paragraph 0007)

Fax/Telephone Numbers

If the applicant wishes to send a fax dealing with either a proposed amendment or a discussion with a phone interview, then the fax should:

- 1) Contain either a statement "DRAFT" or "PROPOSED AMENDMENT" on the fax cover sheet; and
- 2) Should be unsigned by the attorney or agent.

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This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

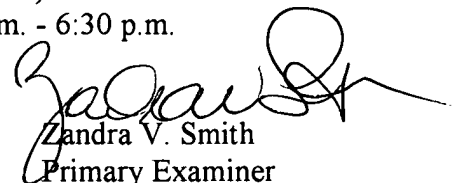
Papers related to the application may be submitted to Group 2800 by Fax transmission. Papers should be faxed to Group 2800 via the PTO Fax machine located in Crystal Plaza 4. The form of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Machine number is: (703) 872-9306

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gordon J. Stock whose telephone number is (571) 272-2431. The examiner can normally be reached on Monday-Friday, 10:00 a.m. - 6:30 p.m.



gs

June 11, 2004


Zandra V. Smith
Primary Examiner
Art Unit 2877